

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:	:	Before the Examiner:
Tachibana et al.	:	Augustine, Nicholas
	:	
Serial No.: 10/674,180	:	Group Art Unit: 2179
	:	
Filing Date: September 29, 2003	:	
	:	IBM Corporation
Title: DIVIDING A LARGE	:	Dept. T81/Bldg. 503
INPUT PAGE INTO A PLURALITY:	:	P.O. Box 12195
OF SMALLER INPUT PAGES	:	3039 Cornwallis Road
TO PROVIDE EASIER USE OF	:	Research Triangle Park, NC 27709
A TERMINAL WITH A SMALL	:	
SCREEN	:	

REPLY BRIEF UNDER 37 C.F.R. §41.41

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Reply Brief is being submitted in response to the Examiner's Answer dated February 5, 2008, with a two-month statutory period for response set to expire on April 5, 2008.

I. RESPONSE TO EXAMINER'S ARGUMENTS:

- A. Response to Examiner's assertion that Iida discloses "an input information storage section for storing a plurality of input parameters entered by a user into more than one of the input pages" as recited in claim 1 and similarly in claims 10, 11, 13 and 14, as discussed on page 9 of Examiner's Answer.

The Examiner asserts that the limitation of "an input information storage section for storing a plurality of input parameters entered by a user into more than one of the input pages" as recited in claim 1 and similarly in claims 10, 11, 13 and 14, is disclosed in paragraphs [0031 and 0032] of Iida. Examiner's Answer, page 9. Appellants respectfully traverse.

Iida discloses that the memory 9 is used for storing message data received via the Internet. [0031]. Iida further discloses that memory 9 is used for storing message data received via the Internet. [0032].

Hence, the cited passages discloses that memory 9 is used for storing message received from POP server 8 via the Internet as illustrated in Figures 1 and 2.

However, as discussed in Appellants' Appeal Brief, there is no teaching in Iida that discloses storing input parameters, as discussed in one embodiment in Appellants' Specification (e.g., paragraphs [0016, 0037 and 0048]). Appellants have reviewed the Iida reference in its entirety and cannot find language regarding storing input parameters. The Examiner appears to ignore claim language. The Examiner cannot ignore claim language. All words in a claim must be considered in judging the patentability of that claim against the prior art. *See In re Wilson*, 424 F.2d 1382, 1385, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). The Examiner must find a reference that discloses each and every claim limitation in order to establish a *prima facie* case of anticipation. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P. §2131.

Further, there is no language in the cited passages that discloses storing input parameters entered by a user into more than one of the input pages. Again, the Examiner ignores the cited claim limitation. Appellants are not simply claiming a

memory which stores data. Appellants acknowledge that a memory stores data. However, Appellants are claiming an input information storage section for storing a plurality of input parameters entered by a user into more than one of the input pages.

Thus, Iida does not disclose all of the limitations of claims 1, 10, 11, 13 and 14, and thus Iida does not anticipate claims 1, 10, 11, 13 and 14. M.P.E.P. §2131.

Furthermore, the Examiner makes the statement "functional limitation is given little patentable weight" on page 9 of the Examiner's Answer. If the Examiner is making this statement in support of ignoring claim language, Appellants respectfully traverse. The Examiner has not cited to any M.P.E.P. section or case law in support of the assertion that the Examiner can ignore claim limitations, such as the above-cited claim limitation. Further, the Examiner has not explained how "an input information storage section for storing a plurality of input parameters entered by a user into more than one of the input pages" is a functional limitation that is given little patentable weight. Appellants respectfully assert that the above-cited claim limitation cannot be ignored and that since Iida does not disclose each and every claim limitation in claims 1, 10, 11, 13 and 14, Iida does not anticipate claims 1, 10, 11, 13 and 14. M.P.E.P. §2131.

- B. Response to Examiner's assertion that Iida does not disclose "an input information transmission section for transmitting the plurality of input parameters in response to an instruction" as recited in claim 1 and similarly in claims 10, 13 and 14, as discussed on pages 9-10 of Examiner's Answer.

The Examiner reiterates the assertion that paragraph [0046] of Iida discloses the limitation of "an input information transmission section for transmitting the plurality of input parameters in response to an instruction." Examiner's Answer, page 10. Appellants respectfully traverse.

As pointed out by Appellants in Appellants' Appeal Brief, Iida instead discloses that when all of the text data entered into the text input boxes are read out and outputted to the gateway server 7 and all of the text input boxes become empty (step T8), the gateway server 7 arranges the text data that have been sequentially read

out from the text input boxes in order of time of input, and outputs a series of all arranged main text data of e-mail to the POP server 8 (step T9). [0046].

Hence, Iida discloses sending text data of an e-mail entered by the user to gateway server 7.

There is no language in the cited passage that discloses transmitting the plurality of input parameters. Instead, Iida discloses sending text data of an e-mail entered by the user. As understood by Appellants, the Examiner is equating the text data of an e-mail to input parameters. The Examiner though has not construed the limitation of input parameters in light of Appellants' Specification as the Examiner is required in claim construction. *See In re Hyatt*, 211 F.3d 1367, 1372, 54 U.S.P.Q.2d 1664, 1667 (Fed. Cir. 2000); M.P.E.P. §2111. Neither has the Examiner provided any explanation for interpreting input parameters, as defined in Appellants' Specification, as text data of an e-mail entered by a user. The Examiner must provide a basis in fact and/or technical reasoning to support the assertion that sending text data of an e-mail entered by the user is equivalent to transmitting a plurality of input parameters. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). That is, the Examiner must provide extrinsic evidence that must make clear that sending text data of an e-mail entered by the user is equivalent to transmitting a plurality of input parameters, and that it would be so recognized by persons of ordinary skill. *In re Robertson*, 169 F.3d 743, 745 (Fed. Cir. 1999). Since the Examiner has not provided any such objective evidence, the Examiner has not presented a *prima facie* case of anticipation for rejecting claims 1, 10, 13 and 14. M.P.E.P. §2112.

- C. Response to Examiner's assertion that Iida discloses "an input information transmission section for combining the input parameters and transmitting combined input parameters in response to an instruction" as recited in claim 11, as discussed on page 10 of Examiner's Answer.

The Examiner equates Iida's teaching of reading all of the text data entered into the text input boxes and outputting the read text data to the gateway server (see

paragraph [0046] of Iida) as being equivalent to an input information transmission section for combining the input parameters and transmitting the combined input parameters in response to an instruction. Examiner's Answer, page 10. Appellants respectfully traverse.

Iida discloses that the text input box is a box displayed on the screen of the user's portable terminal where the user inputs text data of an e-mail. See paragraph [0044] of Iida. When the text data reaches to a predetermined number of characters allowed to be input into the text input box, the user selects a character (icon or the like) of "continue to write main text" and continues to write the main text data of the e-mail into the next empty text input box. See paragraph [0044] of Iida. When the writing of all of the main text data of the e-mail is complete and a total number of the written characters of the main text data has not yet exceeded the limitation of the number of characters transmittable from the portable terminal, the web browser sequentially reads out respective text data entered into the respective text input boxes from box to box in order of time of input and outputs the respective text data to the gateway server 7. See paragraph [0045] of Iida.

There is no language in Iida that discloses combining input parameters. Instead, Iida discloses that when the writing of all of the main text data of the e-mail is complete and a total number of the written characters of the main text data has not yet exceeded the limitation of the number of characters transmittable from the portable terminal, the web browser sequentially reads out respective text data entered into the respective text input boxes from box to box in order of time of input and outputs the respective text data to the gateway server 7. The Examiner must provide a basis in fact and/or technical reasoning to support the assertion that Iida's teaching of sequentially reading out respective text data entered into the respective text input boxes from box to box in order of time of input is equivalent to combining input parameters. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). Since the Examiner has not provided any such objective evidence, the Examiner has not presented a *prima facie* case of anticipation for rejecting claim 11. M.P.E.P. §2112.

- D. Response to Examiner's assertion that Iida discloses "a page reception section for receiving the input pages and for associating the input pages with package identification information, wherein the input pages enable a user to enter the plurality of input parameters, and further wherein the input information transmission section combines the input parameters entered into the input pages of a package and transmits the combined input parameters to the server" as recited in claim 1 and similarly in claims 10, 11, 13 and 14, as discussed on pages 10-11 of Examiner's Answer.

The Examiner cites paragraphs [0030 and 0056] of Iida as disclosing "a page reception section for receiving the input pages and for associating the input pages with package identification information, wherein the input pages enable a user to enter the plurality of input parameters, and further wherein the input information transmission section combines the input parameters entered into the input pages of a package and transmits the combined input parameters to the server" as recited in claim 1 and similarly in claims 10, 11, 13 and 14. Examiner's Answer, page 11. Appellants respectfully traverse.

Iida instead discloses that Figure 1 shows an example of a system configuration used in a case where a portable terminal adaptable to Compact HTML (Hyper Text Markup Language) accesses via a gateway server to a POP (Post Office Protocol) server or the like that requires user authentication. [0030]. Additionally, Iida discloses that according to the transmitting/receiving method of the text data in the portable terminal, main text data received from a predetermined server are divided into a plurality of segment text data each having a data size displayable on the portable terminal and output to the portable terminal by a gateway server. [0056].

Hence, Iida discloses dividing long text data into a plurality of segment data each having a data size displayable on the portable terminal.

There is no language in the cited passages that discloses a page reception section for receiving the input pages and for associating the input pages with package identification information. Where does Iida disclose receiving input pages? The Examiner appears to equate the user receiving a page of an e-mail from server 7, as discussed in paragraphs [0037-0038] of Iida, as disclosing receiving input pages.

However, the user receives a unit or a page of text data of an e-mail that may be continued on a subsequent page. There is no input being made by the user. These pages of text data do not enable a user to enter a plurality of input parameters as required by claims 1, 10, 11, 13 and 14.

Further, where does Iida disclose package identification information? Is the Examiner equating the text input boxes of Iida as the claimed input pages? If so, where does Iida disclose that these text input boxes are associated with package identification information? As understood by Appellants, the Examiner appears to assert that this package identification information is inherently taught by Iida in paragraph [0030] because it is used to let the server know where to send the information. Examiner's Answer, page 11. Appellants respectfully traverse. Paragraph [0030] of Iida discusses user authentication which is used to allow the appropriate users to access information from the POP server 8. There is no associating of input pages with package identification information involved in authenticating a user.

As stated above, there is no language in the cited passages that discloses that the input pages enable a user to enter the plurality of input parameters. Neither is there any language in the cited passages that discloses that the input information transmission section combines the input parameters entered into the input pages of a package and transmits the combined input parameters to the server.

Thus, Iida does not disclose all of the limitations of claims 1, 10, 11, 13 and 14, and thus Iida does not anticipate claims 1, 10, 11, 13 and 14. M.P.E.P. §2131.

- E. Response to Examiner's assertion that Iida discloses "wherein the input information storage section associates input identification information for identifying input information of a package with the input parameters, and wherein the input information transmission section selects and combines input parameters entered into the input pages of a package and which are associated with the same input identification information from among the input parameters stored in the input information storage section, and transmits the resulting combination as the input information" as recited in claim 3, as discussed on page 11.

The Examiner asserts that Iida discloses "wherein the input information storage section associates input identification information for identifying input information of a package with the input parameters, and wherein the input information transmission section selects and combines input parameters entered into the input pages of a package and which are associated with the same input identification information from among the input parameters stored in the input information storage section, and transmits the resulting combination as the input information" as recited in claim 3, without any explanation except referring to paragraphs [0030-0031, 0041, 0045-0046 and 0056] of Iida. Examiner's Answer, page 11.

As explained in Appellants' Appeal Brief and herein, Iida discloses dividing long text data into a plurality of segment data each having a data size displayable on the portable terminal. Further, Iida discloses allowing a user to enter text data in an e-mail up to the limit of the number of characters that are transmittable from the portable terminal.

There is no language in the cited passages that discloses an input information storage section that associates input identification information for identifying input information of a package with the input parameters. If the Examiner is asserting that the text data of an e-mail is equivalent to input parameters, then the Examiner must point out where Iida discloses associating input identification information for identifying input information of a package with the text data of an e-mail. Where does Iida disclose input identification information? Where does Iida disclose identifying input information of a package?

Neither is there any language in the cited passages that discloses an input information transmission section that selects and combines input parameters entered into the input pages of a package. Neither is there any language in the cited passages that discloses an input information transmission section that selects and combines input parameters entered into the input pages of a package and which are associated with the same input identification information from among the input parameters

stored in the input information storage section. Neither is there any language in the cited passages that discloses transmitting the resulting combination as the input information.

Thus, Iida does not disclose all of the limitations of claim 3, and thus Iida does not anticipate claim 3. M.P.E.P. §2131.

- F. Response to Examiner's assertion that Iida discloses "further comprising a page storage section for storing the input pages and associating the plurality of input pages with package identification information; wherein the page reception section receives the input pages and associates the input pages with information for identifying a display order; and further wherein the page display section displays a selected input page stored in the page storage section, and then, responsive to receiving an indication that entry of input into the selected input page is complete, displays the input page that is next according to the display order" as recited in claim 5, as discussed on pages 12-13 of Examiner's Answer.

The Examiner asserts that Iida discloses a memory (element 9) and therefore discloses a page storage section for storing the input pages and associating the plurality of input pages with package identification information. Appellants respectfully traverse. Appellants are not simply claiming a memory. The Examiner has to show that Iida discloses a page storage section for storing the input pages and associating the plurality of input pages with package identification information. The Examiner has not specifically identified where Iida discloses input pages and package identification information.

Further, the Examiner asserts that Iida's disclosure of gateway server 7 arranging the text data that have been sequentially read out from the text input boxes in order of time of input and outputting a series of arranged main text data of e-mail to the POP server 8 (see paragraph [0046] of Iida) discloses the remaining claim limitations of claim 5. Examiner's Answer, pages 12-13. Appellants respectfully traverse.

There is no language in the cited passage that discloses a page reception section that receives the input pages and associates the input pages with information

for identifying a display order. Where does Iida disclose associating input pages with information for identifying a display order? Neither is there any language in the cited passage that discloses a page display section that displays a selected input page stored in the page storage section, and then, responsive to receiving an indication that entry of input into the selected input page is complete, displays the input page that is next according to the display order. Thus, Iida does not disclose all of the limitations of claim 5, and thus Iida does not anticipate claim 5. M.P.E.P. §2131.

- G. Response to Examiner's assertion that Iida discloses "wherein the page reception section receives destination information for identifying a return destination of the input information, associates the destination information with package identification information; and the input information transmission section selects and combines a plurality of input parameters of a package from the information storage section, and transmits the resulting combination to the return destination identified by the destination information associated with the package" as recited in claim 6, as discussed on page 13 of Examiner's Answer.

The Examiner asserts that paragraphs [0030-0031, 0041, 0045-0049 and 0054-0056] of Iida discloses "wherein the page reception section receives destination information for identifying a return destination of the input information, associates the destination information with package identification information; and the input information transmission section selects and combines a plurality of input parameters of a package from the information storage section, and transmits the resulting combination to the return destination identified by the destination information associated with the package" as recited in claim 6. Examiner's Answer, page 13.

As stated above, Iida discloses dividing long text data into a plurality of segment data each having a data size displayable on the portable terminal. Further, Iida discloses allowing a user to enter text data in an e-mail up to the limit of the number of characters that are transmittable from the portable terminal. Iida additionally discusses user authentication which is used to allow the appropriate users to access information from the POP server.

There is no language in the cited passages that discloses a page reception section that receives destination information for identifying a return destination of the

input information. Neither is there any language in the cited passages that discloses a page reception section that associates the destination information with package identification information. Neither is there any language in the cited passages that discloses an input information transmission section that selects and combines a plurality of input parameters of a package from the information storage section. Neither is there any language in the cited passages that discloses an input information transmission section that transmits the resulting combination to the return destination identified by the destination information associated with the package.

Thus, Iida does not disclose all of the limitations of claim 6, and thus Iida does not anticipate claim 6. M.P.E.P. §2131.

- H. Response to Examiner's assertion that Iida discloses "an input information display section for displaying input parameters stored in the input information storage section; and a selection section for enabling the user to select input information to be transmitted; wherein the input information transmission section transmits the selected input information" as recited in claim 7, as discussed on pages 13-14 of Examiner's Answer.

The Examiner cites paragraphs [0034-0038 and 0043] of Iida as disclosing "an input information display section for displaying input parameters stored in the input information storage section; and a selection section for enabling the user to select input information to be transmitted; wherein the input information transmission section transmits the selected input information" as recited in claim 7. Examiner's Answer, page 14. Appellants respectfully traverse.

As stated above, Iida discloses dividing long text data into a plurality of segment data each having a data size displayable on the portable terminal. Further, Iida discloses allowing a user to enter text data in an e-mail up to the limit of the number of characters that are transmittable from the portable terminal.

There is no language in the cited passages that discloses an input information display section for displaying input parameters stored in the input information storage section. Neither is there any language in the cited passages that discloses a selection section for enabling the user to select input information to be transmitted. The

Examiner has not even addressed this claim limitation. Iida is silent regarding having the user select input information to be transmitted. Neither is there any language in the cited passages that discloses a selection section for enabling the user to select input information to be transmitted, where the input information transmission section transmits the selected input information.

Thus, Iida does not disclose all of the limitations of claim 7, and thus Iida does not anticipate claim 7. M.P.E.P. §2131.

- I. Response to Examiner's assertion that Iida discloses "an online detection section for determining whether the information terminal can communicate with an external apparatus, wherein the input information transmission section transmits the combined input parameters responsive to a determination of whether the information terminal can communicate with the external apparatus" as recited in claim 8, as discussed on page 14 of Examiner's Answer.

The Examiner had previously cited paragraph [0050] of Iida as disclosing "an online detection section for determining whether the information terminal can communicate with an external apparatus, wherein the input information transmission section transmits the combined input parameters responsive to a determination of whether the information terminal can communicate with the external apparatus" as recited in claim 8. Office Action (7/17/2007), page 7. The Examiner now cites paragraphs [0030-0032] of Iida as disclosing the above-cited claim limitation. Examiner's Answer, page 14. Appellants respectfully traverse.

Iida instead discloses that accesses to POP server 8 via gateway server 3 requires user authentication. [0030].

Requiring user authentication does not disclose transmitting the combined input parameters responsive to a determination of whether the information terminal can communicate with the external apparatus. Instead, Iida simply discloses that when the writing of all of the main text data of the e-mail is complete and a total number of the written characters of the main text data has not yet exceeded the limitation of the number of characters transmittable from the portable terminal, the web browser sequentially reads out respective text data entered into the respective

text input boxes from box to box in order of time of input and outputs the respective text data to the gateway server 7. [0045]. The text data in Iida is not transmitted to the gateway server responsive to a determination of whether the information terminal can communicate with the external apparatus.

Thus, Iida does not disclose all of the limitations of claim 8, and thus Iida does not anticipate claim 8. M.P.E.P. §2131.

- J. Response to Examiner's assertion that Iida discloses "transmitting a plurality of input pages from a server to an information terminal in response to a request from the information terminal" as recited in claim 12, as discussed on page 15 of Examiner's Answer.

The Examiner cites paragraphs [0034-0038] of Iida as disclosing "transmitting a plurality of input pages from a server to an information terminal in response to a request from the information terminal" as recited in claim 12. Examiner's Answer, page 15. Appellants respectfully traverse.

Iida instead discloses that the gateway server 7 which has received the main text data of the designated e-mail divides the main text data having a certain total number of characters into a plurality of text data each having a total number of characters displayable on the display 2 of the portable terminal 1 or storable in the memory 9. [0036]. Iida further discloses that the gateway server 7 then gets these divided number of characters as one unit (page), and outputs a first page of the main text data of the e-mail to the portable terminal 1. [0037].

Hence, Iida discloses a gateway server that divides the text data of an e-mail into a plurality of text data each having a total number of characters displayable on the display of the portable terminal.

There is no language in the cited passage that discloses transmitting a plurality of input pages. Instead, Iida discloses dividing the text data of an e-mail into a plurality of text data each having a total number of characters displayable on the display of the portable terminal. Neither is there any language in the cited passage that discloses transmitting a plurality of input pages from a server to an information terminal in response to a request from the information terminal. Iida does not

disclose that the text data is sent to the portable terminal in response to a request from the portable terminal.

Thus, Iida does not disclose all of the limitations of claim 12, and thus Iida does not anticipate claim 12. M.P.E.P. §2131.

- K. Response to Examiner's assert that Iida discloses "storing, in a memory of the information terminal, a plurality of input parameters entered using more than one of the input pages" as recited in claim 12, as discussed on page 15 of Examiner's Answer.

The Examiner, citing paragraphs [0031 and 0034] of Iida, asserts that since Iida discloses a memory that Iida necessarily discloses "storing, in memory of the information terminal, a plurality of input parameters entered using more than one of the input pages" as recited in claim 12. Examiner's Answer, page 15. Appellants respectfully traverse.

Appellants are claiming storing a plurality of input parameters. As discussed above, the Examiner has not shown that memory 9 of Iida stores a plurality of input pages, as defined in Appellants' Specification. Neither has the Examiner shown that memory 9 of Iida stores a plurality of input parameters entered using more than one of the input pages received from a server. The Examiner has not pointed out where Iida discloses these input pages. Gateway server 7 of Iida instead transmits a page of text data to the portable terminal. See paragraph [0036] of Iida.

Thus, Iida does not disclose all of the limitations of claim 12, and thus Iida does not anticipate claim 12. M.P.E.P. §2131.

- L. Response to Examiner's assertion that Iida discloses "combining the stored input parameters according to package identification information" as recited in claim 12, as discussed on pages 15-16 of Examiner's Answer.

The Examiner had previously cited paragraphs [0046 and 0056] of Iida as disclosing "combining the stored input parameters according to package identification information" as recited in claim 12. Office Action (7/17/2007), page 8. The Examiner now additionally cites paragraph [0030] of Iida as providing the

functionality of package identification information. Examiner's Answer, page 16. Appellants respectfully traverse.

Iida instead discloses that user authentication is required to access POP server 8 via gateway server 7. [0030]. This is not related to package identification information. Instead, Iida discloses the user providing the appropriate authentication to access POP server 8. Hence, Iida does not disclose all of the limitations of claim 12, and thus Iida does not anticipate Iida. M.P.E.P. §2131.

Further, the Examiner asserts inherency. Examiner's Answer, page 16. As understood by Appellants, the Examiner asserts that Iida inherently discloses that the stored input parameters are combined according to package identification information. *Id.* Appellants respectfully traverse.

As discussed above, Iida does not disclose input parameters. Neither does Iida disclose storing input parameters. Neither does Iida disclose combining the stored input parameters. Further, the Examiner must provide a basis in fact and/or technical reasoning to support the assertion that Iida inherently discloses combining the stored input parameters according to package identification information. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). That is, the Examiner must provide extrinsic evidence that must make clear that Iida inherently discloses combining the stored input parameters according to package identification information, and that it would be so recognized by persons of ordinary skill. *In re Robertson*, 169 F.3d 743, 745 (Fed. Cir. 1999). Since the Examiner has not provided any such objective evidence, the Examiner has not presented a *prima facie* case of anticipation for rejecting claim 12. M.P.E.P. §2112.

- M. Response to Examiner's assertion that Iida discloses "transmitting the combined input parameters from the information terminal to the server in response to an instruction" as recited in claim 12, as discussed on page 16 of Examiner's Answer.

The Examiner had previously cited paragraph [0046] of Iida as disclosing "transmitting the combined input parameters from the information terminal to the server in response to an instruction" as recited in claim 12. Office Action

(7/17/2007), pages 3 and 8. The Examiner now additionally cites paragraph [0030] of Iida as disclosing the above-cited claim limitation. Examiner's Answer, page 16. Appellants respectfully traverse.

Iida instead discloses that user authentication is required to access POP server 8 via gateway server 7. [0030].

There is no language in the cited passage that discloses transmitting combined input parameters. Neither is there any language in the cited passage that discloses transmitting combined input parameters from the information terminal to the server in response to an instruction. Thus, Iida does not disclose all of the limitations of claim 12, and thus Iida does not anticipate claim 12. M.P.E.P. §2131.

Further, as understood by Appellants, the Examiner is equating the text data entered into the text input boxes as disclosing the claimed input parameters. Examiner's Answer, page 16. Appellants respectfully traverse.

The text data entered into the input boxes as disclosed by Iida in paragraph [0046] is not input parameters as defined by Appellants. The Examiner must provide a basis in fact and/or technical reasoning to support the assertion that the text data entered into the input boxes, as disclosed by Iida in paragraph [0046], is equivalent to the claimed input parameters. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). That is, the Examiner must provide extrinsic evidence that must make clear that the text data entered into the input boxes, as disclosed by Iida in paragraph [0046], is equivalent to the claimed input parameter, and that it would be so recognized by persons of ordinary skill. *In re Robertson*, 169 F.3d 743, 745 (Fed. Cir. 1999). Since the Examiner has not provided any such objective evidence, the Examiner has not presented a *prima facie* case of anticipation for rejecting claim 12. M.P.E.P. §2112.

N. Other matters raised by the Examiner.

All other matters raised by the Examiner have been adequately addressed above and in Appellants' Appeal Brief (11/30/2007) and therefore will not be addressed herein for the sake of brevity.

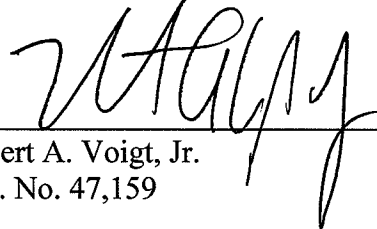
II. CONCLUSION:

For the reasons stated above and in Appellants' Appeal Brief (11/30/2007), Appellants respectfully assert that the rejections of claims 1 and 3-14 are in error. Appellants respectfully request reversal of the rejections and allowance of claims 1 and 3-14.

Respectfully submitted,

WINSTEAD P.C.

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